

REMARKS/ARGUMENTS

35 USC § 102(b)

Claims 16-21 were rejected under 102(b) as being anticipated by Porter et al. (U.S. Pat. No. 3,859,063). *The applicant respectfully agrees.* Nevertheless, the applicant amended claim 16 to even more clearly point out the differences between the claimed subject matter and the cited reference.

As amended herein, claim 16 expressly requires that “...*riser has an opening that together with at least one of the vanes forms a passageway*, wherein the at least one of the *vanes is at an angle relative to a radius of the riser*, and wherein the angle is sufficient to *induce a tangential flow effective to mix* a first and second fluid that concurrently pass through the passageway...” These elements are clearly not taught by Porter. Therefore, amended claims 16-21 are not anticipated by Porter et al.

The presently amended claims 16-21 are also not anticipated by, or obvious over U.S. Pat. Nos. 2,491,209 and 2,578,881 as neither of these references teaches the claimed elements. On the contrary, the '209 and '881 references uses radially arranged spacers that suspend the cap from the riser, which neither induce tangential flow, nor form part of an opening in the riser. Thus, the '209 and '881 references teach away from the claimed subject matter.

Allowable Subject Matter

The *Examiner allowed claims 1-9 and 11-15*. The applicant agrees and *claims 1-9 and 11-15 remain unchanged*.

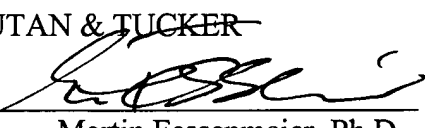
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Amdt. dated Oct. 21, 2004
Reply to Office action of Sep. 8, 2004

The applicant believes that the present claim amendments are sufficient to overcome the Examiner's concerns and believes that the claims as amended are now in condition for allowance. Therefore, the applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

~~RUTAN & TUCKER~~

By



Martin Fessenmaier, Ph.D.
Reg. No. 46,697
Tel.: (714) 641-5100